

Jeffrey W. Shields (USB #2948)
Lon A. Jenkins (USB #4060)
Troy J. Aramburu (USB #10444)
JONES WALDO HOLBROOK & McDONOUGH, PC
170 South Main Street, Suite 1500
Salt Lake City, Utah 84101
Telephone: (801) 521-3200

Counsel to Unsecured Creditors' Committee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

In re:	:	Bankruptcy No. 09-29905
	:	
EASY STREET HOLDING, LLC et al.,¹	:	(Jointly Administered with Cases
	:	09-29907 and 09-29908)
Debtors.	:	
	:	Chapter 11
	:	
	:	Honorable R. Kimball Mosier
	:	

**LIMITED JOINDER OF THE OFFICIAL COMMITTEE OF UNSECURED
CREDITORS IN THE OBJECTION OF GATEWAY CENTER, LLC'S OBJECTION TO
THE SECOND APPLICATION OF CORBIN B. GORDON, P.C. FOR INTERIM
COMPENSATION AND REIMBURSEMENT PURSUANT TO 11 U.S.C. §§ 330 AND 331
AS ATTORNEYS FOR THE DEBTOR IN POSSESSION FOR THE PERIOD JANUARY
1, 2010 THROUGH APRIL 30, 2010**

The Official Committee of Unsecured Creditors (the “**Committee**”) for the above captioned debtors and debtors in possession (collectively the “**Debtors**”), by its counsel, Jones Waldo Holbrook & McDonough, PC, (“**Jones Waldo**”) hereby submits its limited joinder to Gateway Center, LLC’s (“Gateway”) to the Second Application of Corbin B. Gordon, P.C. (“Gordon Firm”) for Interim Compensation and Reimbursement Pursuant to 11 U.S.C. §§ 330 and 331 as Attorneys for the Debtor in Possession for the Period January 1, 2010 Through April 30, 2010 (“Gordon Application”). In addition to the statements and arguments made by Gateway in its Objection, the Committee states as follows:

¹ The Debtor entities are Easy Street Holding, LLC, Easy Street Partners, LLC, and Easy Street Mezzanine, LLC.

1. Pursuant to its Application, the Gordon Firm is seeking allowance and payment of interim compensation and reimbursement in the total amount of \$22,682.50 for fees and expenses incurred for the period January 1, 2010 through April 30, 2010.

2. The Gordon Firm had not initially disclosed its representation of Cloud Nine Resorts, LLC, an affiliate of the Debtors, apparently as a result of some confusion respecting the ownership structure of the Debtors.

3. According to the Gordon Firm's Second Supplemental Declaration (docket no. 495), Mr. Gordon realized for the first time on approximately March 15, 2010 that Cloud Nine Resorts, LLC might have a claim back against Debtor Partners for contribution if Cloud Nine Resorts were obligated to pay Gateway under the lease.

4. It was not, however, until May 17, 2010, in response to Gateway's Objection to the Gordon Firm's Application, that the Gordon Firm supplemented its statement under Fed. R. Bank. Pro. 2014 to disclose its representation of Cloud Nine Resorts.

5. The failure of an estate professional to make timely and appropriate disclosures upon obtaining knowledge of a possible conflict warrants at least a partial denial of fees and costs. Although the Gordon Firm has asserted that the interests of the Debtors and Cloud Nine Resorts are aligned in the Gateway lease dispute, nevertheless, disclosure must be made for the very reason that there are potential claims by the Gordon Firm's client which may be asserted against the estate if the lease dispute has an unfavorable outcome. A partial denial of fees related to services in connection with the lease dispute is warranted.

WHEREFORE, the Committee respectfully requests this Court to deny, in part, the Application, consistent with the foregoing.

DATED this 21st day of June, 2010.

**JONES WALDO HOLBROOK &
McDONOUGH, PC**

/s/ Lon A. Jenkins
Jeffery W. Shields
Lon A. Jenkins
Troy J. Aramburu

Counsel to Unsecured Creditors' Committee

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of June, 2010 I caused a true and correct copy of the foregoing *Limited Joinder of the Official Committee of Unsecured Creditors to in the Objection of Gateway Center, LLC's Objection to the Second Application of Corbin B. Gordon, P.C. for Interim Compensation and Reimbursement Pursuant to 11 U.S.C. §§ 330 and 331 as Attorneys for the Debtor in Possession for the Period January 1, 2010 through April 30, 2010* upon the following parties, via ECF Notification, email and first class U.S. mail, postage prepaid:

ECF Notification:

- Kenneth L. Cannon kcannon@djplaw.com, khughes@djplaw.com
- Scott A. Cummings cummings.scott@dorsey.com
- Bastiaan Coebergh coebergh@wasatchlaw.com, oborn@wasatchlaw.com, brian@wasatchlaw.com
- George B. Hofmann gbh@pkhlawyers.com, dh@pkhlawyers.com
- Mary Margaret Hunt hunt.peggy@dorsey.com, wardle.gay@dorsey.com
- Annette W. Jarvis jarvis.annette@dorsey.com, smith.ron@dorsey.com;slc.lit@dorsey.com;brown.patricia@dorsey.com
- Michael R. Johnson mjohnson@rqn.com, agale@rqn.com
- Anthony C. Kaye kaye@ballardspahr.com
- Benjamin J. Kotter kotter.benjamin@dorsey.com
- David E. Leta delta@swlaw.com, wsmart@swlaw.com
- Adelaide Maudsley maudsley@chapman.com, jemery@chapman.com
- Steven J. McCardell smccardell@djplaw.com, khughes@djplaw.com
- John T. Morgan tr john.t.morgan@usdoj.gov, james.gee@usdoj.gov
- David W. Overholt doverholt@rsolaw.com, abachman@rsolaw.com
- Douglas J. Payne dpayne@fabianlaw.com, jshowalter@fabianlaw.com
- Jessica G Peterson jpeterson@djplaw.com
- Knute Rife karife@rifelegal.com
- Jeffrey L. Shields jlshields@cnmlaw.com, njpotter@cnmlaw.com
- Bradley L. Tilt btilt@fabianlaw.com, rmellor@fabianlaw.com
- United States Trustee USTPRegion19.SK.ECF@usdoj.gov
- Kim R. Wilson bankruptcy_krw@scmlaw.com

First class mail, postage prepaid and email upon the following:

Joseph E. Wrona
Wrona Law Firm
1745 Sidewinder Drive
Park City, UT 84060
wrona@asatchlaw.com

Corbin B. Gordon
Corbin B. Gordon, P.C.
345 West 600 South, Suite 108
Heber City, UT 84032
corbingordon@yahoo.com

Richard W. Havel
Sidley Austin LLP
555 West Fifth Street, Suite 4000
Los Angeles, CA 90013
rhavel@sidley.com

Kenneth L. Cannon II
Steven J. McCardell
Durham Jones & Pinegar, P.C.
111 East Broadway, Suite 900
P.O. Box 4050
Salt Lake City, UT 84111-4050
kcannon@djplaw.com
smccardell@djplaw.com

Michael V. Blumenthal
Steven B. Eichel
Crowell & Moring LLP
590 Madison Avenue, 20th Floor
New York, NY 10022
mblumenthal@crowell.com
seichel@crowell.com

/s/ Rebecca Huot
